

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**JAMES S. BOYD,**

**Plaintiff,**

**v.**

**COMMISSARY VENDOR,**

**Defendant.**

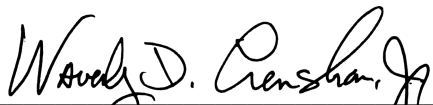
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) **NO. 3:15-cv-01150**  
) **JUDGE CRENSHAW**  
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**ORDER**

Pending before the Court is a Report and Recommendation of the Magistrate Judge, to which no timely objections have been filed. (Doc. No. 41.) The Court has reviewed the Report and Recommendation and conducted a de novo review of the record. The Report and Recommendation is **ADOPTED**.

Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for Prescott's failure to prosecute and failure to comply with the Court's Orders. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58. The Court **CERTIFIES** that any appeal from this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
UNITED STATES DISTRICT JUDGE